

Can a woman travel without a Mahrâm? Very detailed response by Shaykh Sulaymân al-'Alwân (حفظه الله) - So after mentioning the hadīths where the Prophet (صلى الله عليه وسلم) told a man [preparing for a Ghazwâ] to go perform Hajj with his wife & the hadīths that mention "A woman cannot travel except with a Mahrâm", the Shaykh mentions:

And from this, the majority of the scholars have stated that it's not permissible for a woman to make Hajj except with a Mahram, regardless if her Hajj was compulsory or optional, and regardless if the woman was young or old, and regardless if the travelling distance was long or short. And some of the scholars are of the view that a woman can make Hajj with a group of trustworthy women, infact Imām Mālik (رحمه الله) & al-Shāfi'ee (رحمه الله) said she is compelled to go to Hajj with a group of women, i.e. in the compulsory Hajj, and from al-Shāfi'ee (رحمه الله) is a second saying in the issue "that the woman goes out (for Hajj) even if she was with one woman that's trustworthy", and another group of scholars said "A woman can travel alone if the road was safe" and this is what ibn Muflīh (رحمه الله) mentions from Shaykh al-Islām ibn Taymiyyāh (رحمه الله), but what is present in the Fatāwāh (of ibn Taymiyyāh) is that the woman doesn't travel to Hajj, except with friends or Mahrams, so what's clear from this is that Shaykh al-Islām ibn Taymiyyāh (رحمه الله) permits a woman to travel without a Mahram if she was with trustworthy friends i.e. trustworthy women, and the proof of this saying is what is mentioned in Sahīh al-Bukhārī Mu'allâqâ that 'Omar ibn al-Khattâb (رضي الله عنه) in the final Hajj he made, gave permission to the wives of the Prophet (صلى الله عليه وسلم) to perform Hajj, so he sent with them 'Uthmân ibn 'Affân (رضي الله عنه) and 'Abdûl al-Rahmân ibn 'Âwf (رضي الله عنه), so they (the scholars of this view) said "this is a consensus of the Sahābah of the permissibility of a woman travelling without a Mahram if she was with trustworthy women and the road was safe".

And we could respond against this by saying that the wording of the Prophet (صلى الله عليه وسلم) is explicit in this issue "A woman does not travel except with a Mahrâm" and this hadīth is Agreed upon [in its authenticity], and he made his saying a general one, and numerous narrations have been mentioned regarding travelling, so a narration came from Abū Hurayrâh (رضي الله عنه) in Sahīh Muslīm "It's not permissible for a woman who believes in Allāh & the last day to go travelling for 3 days or more" and it's mentioned in Sahīh Muslīm from the Hadīth of Abū Hurayrâh "one night" and it's also mentioned in the Sahīhayn [Bukhārī & Muslim] from the Hadīth of Abū Hurayrâh (رضي الله عنه) "A journey of one day & one night" and in Sahīh al-Bukhārī from the hadīth of Abī Sa'eed (رضي الله عنه) "A journey of two days" so when these narrations have differences that indicate a specific time, it's compulsory to take the unrestricted meaning [hadīths which mention no time period for the Journey - So it's harām to go travelling without a Mahram fullstop], particularly the hadīth of ibn 'Abbās (رضي الله عنهما) which isn't differed upon (in wordings from him).

In addition to this, the Prophet (صلى الله عليه وسلم) stated this in Hajj or in the end of his life, and it's possible that he said it in the 9th year AH in which Abū Bakr (رضي الله عنه), 'Alī (رضي الله عنه) and a group of Sahābah made Hajj in, so taking the unrestricted narrations which are explicit in the topic is given preference to taking the restricted narrations [that mention 1,2,3 days etc...] that aren't explicit. Also, even if we take the restricted evidences for argument sake, no doubt Hajj takes more than 3 days, indeed Hajj exceeds more than 3 days, and it's not possible to finish Hajj in less than 3 days, so how can a woman travel this distance which would exceed 5,6 or 7 days and all the narrations do not mention anything above 3 days, rather it mentions three [days], two [days], one day & night, a journey of one day & a journey of one night.

Also the reply to the actions of the wives of the Prophet (صلى الله عليه وسلم) is that this was an Ijtihād (educated guess) from them, and it could also be said that most of the wives of the

Prophet (صلى الله عليه وسلم) had Mahrams, Hafsâ (رضي الله عنها) in particular & others, except that this might be opposed/rejected for Safiyyâh (رضي الله عنها), so it could be said that the wives of the Prophet (صلى الله عليه وسلم) are unlawful to be married, so it's not possible that anyone would have temptations/desires for them, and neither would they tempt the men, so it's as if their situation is less than others, especially since they made Hajj with 'Abdûl Rahmân ibn 'Âwf (رضي الله عنه) and with 'Uthmân ibn 'Affân (رضي الله عنه) and with the Major companions, and they would look after them more than they would look after their own daughters.

In addition to this is that the wives of the Prophet (صلى الله عليه وسلم) are the mothers of the believers, so these things (going to Hajj without a Mahrâm) could be justifiable for their actions, unlike other than them with the amount of corrupted ones, and perversion in the society, and Fitân (temptations), and being subjected to aggressors/attackers, and this is in particular with the presence of an explicit text "A woman cannot travel except with a Mahrâm", however what must be payed attention to, is that whoever permitted a woman to travel with trustworthy women in Hajj & 'Umrâh, do not permit this in every situation, and isn't permitted in every travel. What has been permitted from these Scholars is restricted to certain circumstances:

1. A kâfirah (disbeliever) that reverts to Islâm in dâr al-Harb, it's permissible for her to travel alone to the land of the muslims.
2. A prisoner which is free from the Kuffâr, it's permissible for her to travel alone.
3. If the woman & her friend separate from each other, she can befriend other than her if she was trustworthy/secure, or else she can travel on her own [Till she reaches her destination].

And it could also be said that the travelling of a woman without a Mahrâm has situations:

1. That she travels on her own without the road being safe, then this travelling is harâm by consensus, regardless if the travelling was for Hajj or 'Umrâh or for other than that.
2. That she travels on her own & she is secure/safe on the road, then this is harâm according to the Jumhûr [The majority of the Scholars]
3. That she travels alone with a group of trustworthy women, and this has been permitted by a group of scholars in Hajj and 'Umrâh, and as we have previously stated, it has been mentioned in Bukhârî Mu'allâqa from the chain of Ibrâhîm from his father from his grandfather who said "Omar ibn al-Khattâb (رضي الله عنه) in the final Hajj he made, gave permission to the wives of the Prophet (صلى الله عليه وسلم) to perform Hajj, so he sent with them 'Uthmân ibn 'Affân (رضي الله عنه) and 'Abdûl al-Rahmân ibn 'Âwf (رضي الله عنه)"
4. And a group of scholars have permitted a woman to travel in all cases if she was with a group of trustworthy women.
5. And another group of scholars have completely forbidden a woman to travel in all cases, except in what the scholars have agreed upon in the 3 situations mentioned above [if she reverted etc...], and this is the Madhab of Imâm Ahmad (رحمه الله), and is more suitable/correlates with the apparent/clear text "A woman cannot travel except with a Mahrâm". HOWEVER, if it occurs that the woman travels without a Mahrâm, her Hajj is complete/accepted in Islâm.

Note: The definition of "travelling" goes back to the 'Urf(customs) of the time - It's not permissible to use the hadīths "Travel for 3 days without Mahram" in today's sense where a person can basically travel the whole world in that specified time period. Rather, whatever is considered "Travelling in our times" even if it was 1 hour on a plane etc... is considered harām if it was without a Mahram والله اعلم

~ Shaykh Sulayman al-'Alwan